

Customer No.: 31561  
Application No.: 10/711,812  
Docket No.: 13723-US-PA

### **REMARKS**

#### **Present Status of the Application**

Claims 1-10 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gillner (US-4,816,096; hereinafter "*Gillner*") in view of Miele et al. (US-5,653,929; hereinafter "*Miele*"). Claims 1-10 and 21-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which regards as the invention.

Applicant has amended claims 1 and 22 in order to overcome the rejections of claims 1 and 22. Further, Applicant added new claim 23, which is originated from and supported by originally specification. After entry of the foregoing amendments, claims 1-10 and 21-22 remain pending in the present application, and reconsideration of those claims is respectfully requested.

#### **Rejection under 35 U.S.C 112**

Claims 1-10 and 21-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which regards as the invention.

In response to the rejections thereto, Applicant thanks the Examiner and has corrected all of which indicated by the Examiner as instructed.

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**Rejection under 35 U.S.C 103**

Claims 1-10 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Gillner* in view of *Miele*.

The present invention is directed to provide an optical film attaching apparatus capable of preventing the edges of an optical film from attaching to a substrate ahead of time, such that fewer bubbles are generated.

Independent Claim 1 recites the features as follows:

1. An optical film attaching apparatus for attaching an optical film onto a substrate, the apparatus comprising:

a substrate conveyer for carrying and transporting the substrate;

an optical film adsorber facing the substrate conveyer for carrying the optical film;

an attaching device disposed along a conveying path of the substrate for attaching the optical film to the substrate; and

a stop element, having a first idler, wherein the first idler is disposed between the optical film adsorber and the attaching device to prevent an edge of the optical film from attaching to the substrate ahead of time.

Applicant submits that the stop element of the currently amended claim 1 is used for preventing an edge of the optical film from attaching to the substrate ahead of time, but the nip roller 50, corresponding to the stop element of the currently amended claim 1, indicated by Examiner in figure 3 of *Miele* is used for gripping the side edge 28 of the web 25 (column 5, lines 49-53 in *Miele*), so that the functionality of the nip roller

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50 indicated by Examiner in figure 3 of *Miele* is different from the stop element of the currently amended claim 1.

In accordance with above, *Miele* fails to **teach** or **suggest** that the nip roller 50 can be prevented an edge of the optical film from attaching to the substrate ahead of time, such that fewer bubbles are generated. A person of ordinary skill in the art **can not** combine *Gillner*, *Miele* and JP-11-235759 to achieve all of the features as set forth in claim 1. So claim 1 is patentable over *Gillner* taken with *Miele* in view of JP-11-235759, and thus should be allowed. Furthermore, the claims 2-10 and 21-22 are should be allowed as a matter of law.

#### New claim

A new claim 23 has all of features of claim 1 and further a limitation of that the first idler is roller type is added, which is supported by originally figures 1A through 1C, i.e. the shape of stop element 130. Applicant submits that the new added limitation **does not** disclose in *Gillner*, *Miele*, or JP-11-235759. In addition, for similar reasons above, a person of ordinary skill in the art **can not** combine *Gillner*, *Miele* and JP-11-235759 to achieve all of the features as set forth in claim 3. So claim 3 is patentable over *Gillner* taken with *Miele* in view of JP-11-235759, and thus should be allowed.

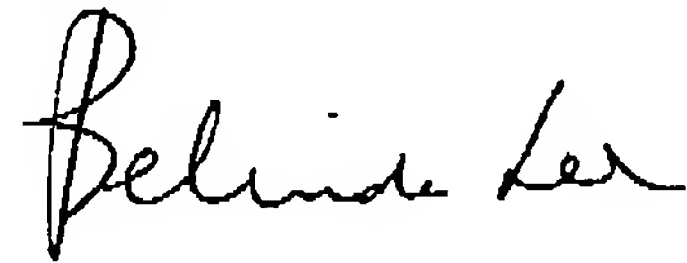
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**CONCLUSION**

For at least the foregoing reasons, it is believed that the pending claims 1-10 and 21-23 in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date : Oct. 12, 2007

Respectfully submitted,



Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office  
7<sup>th</sup> Floor-1, No. 100  
Roosevelt Road, Section 2  
Taipei, 100  
Taiwan  
Tel: 011-886-2-2369-2800  
Fax: 011-886-2-2369-7233  
Email: [belinda@jcipgroup.com.tw](mailto:belinda@jcipgroup.com.tw)  
[Usa@jcipgroup.com.tw](mailto:Usa@jcipgroup.com.tw)